

CITY OF MARSHALL

ORDINANCE NO. 2021-O- 02

ZONING NO. 2021-Z-01

AN ORDINANCE REZONING THE
WARNER
PROPERTY

ADOPTED BY THE
CITY COUNCIL
OF THE
CITY OF MARSHALL

Published in pamphlet form by authority of the City of Marshall, Clark County, Illinois, this 10th day of May, 2021.

ORDINANCE NO. 2021-O- 02

ZONING NO. 2021-Z-01

AN ORDINANCE REZONING THE WARNER PROPERTY

WHEREAS, pursuant to sworn Petition for Change of Zoning executed by Jeannette & Eugene Warner and pursuant to Notice of Hearing published at least fifteen (15) days nor more than thirty (30) days before the date of hearing, the Zoning Commission held a public hearing; and

WHEREAS, No written objections were filed to the Petition; and

WHEREAS, the zoning commission has recommended that the Petition for Change of Zoning be allowed; and

WHEREAS, it appears that the property hereinafter described is currently zoned R-1 and that the public interest will be subserved by rezoning the property to B-1; and

WHEREAS, the City Council has approved said Petition by majority vote.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARSHALL;
THE FOLLOWING DESCRIBED REAL ESTATE CLARK COUNTY, ILLINOIS:

LOT #2 IN BLOCK FORTY-EIGHT (48) IN WILLIAM B. ARCHER'S FIRST ADDITION TO THE TOWN (NOW CITY) OF MARSHALL, CLARK COUNTY, ILLINOIS


PIN: 08-08-13-09-405-017

and located at 909 Pine Street, Marshall, Illinois, be rezoned from R-1 to B-1 and that the zoning map referred to in Article III, Section 2 of Appendix A of the Code of Ordinances of the City of Marshall be and the same is hereby amended accordingly.

That this Ordinance shall be published in pamphlet form and shall take effect ten (10) days after its passage, approval and publication in pamphlet form as provided by law.

	<u>AYES</u>	<u>NAYS</u>	<u>ABSENT</u>
Michael Smitley	✓	_____	_____
John Haster Foster Propst	✓	_____	_____
Warren LeFever	✓	_____	_____
Jarod Green	✓	_____	_____
Ed Pearce Logan Sanders	✓	_____	_____
Vickie Wallace	✓	_____	_____
Josh Sanders	✓	_____	_____
Wendy Thompson Bob Nelson	✓	_____	_____

PASSED this 10 day of May, 2021
 APPROVED this 10 day of May, 2021.



 MAYOR

ATTESTED, filed in my office
 and published in pamphlet form
 this 10 day of May, 2021



 CITY CLERK

(SEAL)

CERTIFICATE)
)
 STATE OF ILLINOIS)
)
 COUNTY OF CLARK) ss.)
)
 CITY OF MARSHALL)
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I, Nancy Smitley, Clerk of the City of Marshall, do hereby certify that as such officer I am the clerk of the City Council of said City and the keeper of the records of said City and that the attached document entitled "An Ordinance Rezoning the Warner Property" is a true and correct copy of the original Ordinance passed by the City Council of said City of Marshall, Illinois, at its regular meeting held on May 10th, 2021 as said Ordinance appears in the records of my office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the corporate seal of said City of Marshall, Illinois, on May 10, 2021.


 CITY CLERK

(SEAL)

IN THE ZONING COMMISSION
FOR THE CITY OF MARSHALL
CLARK COUNTY, ILLINOIS

IN THE MATTER OF THE APPLICATION)
)
) No. 2021-Z-01
)
)
)
)

REPORT OF CONSIDERATION AND RECOMMENDATION

(REZONING)

Josh Robinson has submitted a Petition for Change of Zoning of the real estate located at:
THE FOLLOWING DESCRIBED REAL ESTATE CLARK COUNTY, ILLINOIS:

LOT #2 IN BLOCK FORTY-EIGHT (48) IN WILLIAM B. ARCHER'S FIRST ADDITION TO THE
TOWN (NOW CITY) OF MARSHALL, CLARK COUNTY, ILLINOIS

PIN: 08-08-13-09-405-017

with a common street address of 909 Pine St, Marshall, IL 62441

Pursuant to Public Notice printed at least fifteen (15) days, and not more than thirty (30) days,
before the hearing, the Zoning Commission held a Public Hearing on the proposed map amendment.

As a result of the Public Hearing and as a result of the Commission's study of the Petition for
Change of Zoning, the Zoning Commission makes the following findings (Article XXIII, Section 23.1,
Paragraph 2(c):

1. **Subject Property:**
 Existing Use: Empty Lot
 Existing Zoning: R-1 Sing Family Residential

2. **Existing Uses of Property in Area**
 Adjacent to the North: Single Family Residential Adjacent to the East: Single Family Residential
 Adjacent to the South: Single Family Residential Adjacent to the West: Single Family Residential

3. **Present Zoning in Area:**
 Adjacent to the North: R-1, SF Residential Adjacent to the East: R-1, SF Residential
 Adjacent to the South: R-1, SF Residential Adjacent to the West: R-1, SF Residential

4. **Suitable of Present Zoning:**

The lot currently sits empty.

5. **Trend of Development in the Area:**

The area primarily consists of single family and multi-family homes

6. **Need for the Proposed Use:**

The Applicant/Owner plans to construct a 30x50x12 pole barn for office and storage space. (see site plan and elevation pictures) There will be minimal traffic in and out of the building. There will not be any retail at this location.

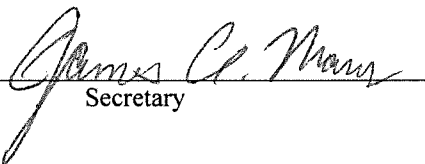
7. **Other:**

8. **Other:**

According by a vote of 6 to 0 the Zoning Commission recommends to the City Council that the proposed Petition for Change of Zoning (map amendment) be adopted/~~not be~~ adopted (strike one) by the City Council.

Dated: May 4, 2015.


Chairman


Secretary

Standards of Review

- a. That the proposed amendment is compatible with the appropriate uses, appropriate zoning classification and appropriate trends of development in the general area, giving due consideration to dominant uses.
- b. That the proposed zoning classification is appropriate as it relates to the physical characteristic of the subject property, giving due consideration to the uses permitted in both the existing zoning classification and the proposed zoning classification
- c. That adequate and safe accessibility to the subject property from a public road is available or can be reasonable supplied to serve the uses permitted in the proposed zoning classification.
- d. That adequate public roads connected to the arterial highway system are available or can be reasonably supplied to serve the uses permitted in the proposed zoning classification.
- e. That the proposed amendment is consistent with the need to minimize flood damage and that the development of the subject property for the uses permitted in the proposed zoning classification will not have a substantial detrimental effect on the drainage pattern in the area.
- f. That adequate services (including but not limited to fire and police protection, schools, water supply, and sewage disposal facilities) are available or can be reasonable supplied to serve the uses permitted in the proposed zoning classification.
- g. That the proposed amendment is consistent with the public interest, giving due consideration to the intent of the ordinance.